

November 21, 2011

A Regular Meeting of Mayor and Council was convened at 8:00 p.m. on November 21, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 21, 2010.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

ROLL CALL: Present: Council Members Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy

Absent: None

Also present was Borough Attorney Mark Kitrick and Borough Administrator/CFO Joseph DeIorio

## **PROCLAMATION: Pancreatic Cancer Awareness**

### **THE MONTH OF NOVEMBER "PANCREATIC CANCER AWARENESS MONTH"**

**WHEREAS**, in 2011, an estimated 44,030 people will be diagnosed with pancreatic cancer in the United States and 37,660 will die from the disease;

**WHEREAS**, pancreatic cancer is one of the deadliest cancers and is the fourth leading cause of death in the United States; and

**WHEREAS**, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and 74 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years; and

**WHEREAS**, of all the racial/ethnic groups in the United States, African Americans have the highest incidence rate of pancreatic cancer, between 34 percent and 70 percent higher than the other groups; and

**WHEREAS**, approximately 1140 deaths will occur in New Jersey in 2011; and

**WHEREAS**, there is no cure for pancreatic cancer and there have been no significant improvements in survival rates in the last 40 years; and

**WHEREAS**, the Federal Government invests significantly less money in pancreatic cancer research than it does in any other leading cancer killers; and pancreatic cancer research constitutes only approximately 2 percent of the National Cancer Institute's federal research funding, a figure far too low given the severity of the disease, its mortality rate, and how little is known about how to arrest it; and

**WHEREAS**, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Manasquan and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

**WHEREAS**, the Pancreatic Cancer Action Network and its affiliates in Manasquan support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

**WHEREAS**, the good health and well being of the residents of Manasquan are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; and

**THEREFORE, BE IT RESOLVED** that, I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan, do hereby designate the month of November 2011 as "Pancreatic Cancer Awareness Month" in the Borough of Manasquan.

**NOW, THEREFORE, BE IT RESOLVED**, that true and official copies of this Proclamation be spread upon the minutes of the Borough Council meeting of November 21<sup>st</sup>, 2011.

## **PRESENTATIONS**

### **Manasquan First Aid Squad**

Mayor Dempsey, Council Members Lucas and Donovan presented a certificate of appreciation to the Manasquan Sea Girt First Aid Squad in recognition of their support for Troopers assisting Troops and the Wounded Warrior Project. Also present was Sean Gleason, a current trooper and Ken Wondreck, a former trooper.

### **Supervisor of Public Works – John Keynton**

Mayor Dempsey and Council Member Donovan presented John Keynton with a Certificate from the NJ Agricultural Experiments Station for successfully completing the requirements of the NJ Recycling Program.

**APPOINTMENT:** Mr. Charles Rooney – Borough Engineer's Report for November 18, 2011

Mr. Rooney went over his status report dated November 18, 2011.

## **CONSENT AGENDA**

### **RESOLUTION 253-2011**

#### **RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY, APPOINTING JOHN KEYNTON RECYCLING COORDINATOR.**

**WHEREAS**, the Borough of Manasquan ("Manasquan") is in need of a Recycling Coordinator to replace Arthur Cowdrick; and

**WHEREAS**, John Keynton has successfully completed the requirements of the New Jersey Recycling Certification Series; and

**WHEREAS**, on February 14, 2005 Art Cowdrick was appointed as Assistant Borough Recycling Coordinator effective March 1, 2005; and

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of November, 2011, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. John Keynton is appointed Recycling Coordinator.
2. Additional salary increase of \$3000.00 annually.
3. The effective date of this appointment is October 20th, 2011.
4. A certified copy of this resolution shall be sent to :

John Keynton  
2424 Cedar Street  
Wall, New Jersey 08736

**BE IT FURTHER RESOLVED**, that the position of Assistant Borough Recycling Coordinator has been eliminated along with its original stipend authorized on February 14, 2005.

### **RESOLUTION 259 -2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey are desirous of canceling an outdated refund check in the amount of \$61.00:

**NOW THEREFORE**, be it resolved that the following amount is canceled and returned to the appropriate fund;

November 21, 2011

**COURT FUND: Bail Account #196000584**

CHECK #3383      AMOUNT: \$61.00

**RESOLUTION  
260 -2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey are desirous of canceling outdated refund checks from September 2, 2009 and January 3, 2011 totaling \$40.00.

**NOW THEREFORE**, be it resolved that the following amounts are canceled and returned to the appropriate fund:

**COURT FUND: Regular Acct# 196000576**

<u>CHECK #</u>	<u>AMOUNT</u>
2361	\$6.00
2930	\$4.00
2931	\$12.00
2503	\$18.00
TOTAL \$40.00	

**RESOLUTION  
261 -2011**

**RESOLUTION REQUESTING  
APPROVAL OF ITEMS OF REVENUE  
AND APPROPRIATION NJS 40A:4-87**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED**, that the *Mayor and Council* of the Borough of Manasquan in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$13,125.05, which is now available from NJDEP-Clean Communities Program in the amount of \$ 13,125.05.

**BE IT FURTHER RESOLVED**, that the like sum of \$ 13,125.05 is hereby appropriated under the caption NJDEP-Clean Communities Grant; and

**BE IT FUTRTHET RESOLVED**, that the above is the result of funds from NJDEP – Clean Communities Program in the amount of \$13,125.05.

November 21, 2011

**RESOLUTION  
264-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, Redemption of Tax Title Lien is due on the below described property in the amount designated as follows:

BLOCK: 50 LOT: 22 NAME: Brehm, Patricia

PROPERTY LOCATION: 124 Curtis Place

AMOUNT: \$3,373.69

REASON: Redemption of Tax Title Lien #10-00153

CHECK TO BE MADE PAYABLE TO:

CAROL L. BARON  
PO BOX 2175  
HOBE SOUND, FL 33475-2175

**WHEREAS**, the Tax Collector has certified that the current Lienholder is entitled to the redemption monies.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION  
265-2011**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH  
OF MANASQUAN, COUNTY OF MONMOUTH, NEW JERSEY,  
APPOINTING KENNETH HAMILL AS POLICE OFFICER**

**WHEREAS**, due to several retirements, the Borough of Manasquan ("Manasquan") is in need of a Police Officer; and

**WHEREAS**, the Chief of Police has reviewed the candidates for the position of Police Officer; and

**WHEREAS**, the Chief of Police has recommended that the Borough of Manasquan hire Kenneth Hamill for the position of Police Officer.

**NOW, THEREFORE BE IT RESOLVED** on the 21<sup>st</sup> day of November, 2011, by the Borough Council of the Borough of Manasquan, in the County of Monmouth and State of New Jersey as follows:

1. Mr. Kenneth Hamill is appointed to the position of Police Officer of the Borough of Manasquan.
2. The effective date of this appointment is December 5, 2011.

November 21, 2011

3. The salary for this position is \$37,801.00 per year.
4. A certified copy of this resolution shall be sent to:

Mr. Kenneth Hamill  
169 Main Street  
Manasquan NJ 08736

**RESOLUTION  
267-2011**

RESOLUTION OF THE BOROUGH COUNCIL OF  
THE BOROUGH OF MANASQUAN, MONMOUTH  
COUNTY, NEW JERSEY, AUTHORIZING THE SALE  
OF SEASON BEACH BADGES AND SEASON  
PARKING PERMITS

**WHEREAS**, fees for the sale of season beach badges are established under Section 12-2.4 (Fees) and fees for the sale of season parking permits are established under section 12-11 (Season Parking Permit) of Chapter 12 (Beaches and Beachfront) of the Code of the Borough of Manasquan; and

**WHEREAS**, the Borough Council is desirous of authorizing the sale of season beach badges and parking permits in the month of December starting Monday, December 5<sup>th</sup> during normal business hours on days on which the municipal offices are open to the public; and

**WHEREAS**, the Borough Council is desirous of establishing fees at the 2011 rate for the sale of season beach badges and parking permits; and

**WHEREAS**, the charge for these items may increase during the 2012 calendar year;

**NOW, THEREFORE, BE IT RESOLVED**, on this 21<sup>st</sup> day of November, 2011 by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey as follows:

1. Season beach badges and parking permits shall be available for purchase in the month of December, starting December 5th during normal business hours on days on which the municipal offices are open.
2. A copy of this resolution shall be posted on the bulletin board in the municipal building.
3. The Borough Council shall announce at each regular business meeting during the months of November and December that season beach badges and parking permits are available for purchase at the 2011 rate.
4. A maximum of up to 600 season parking permits will be sold during this period.

**RESOLUTION  
269-2011**

**BE IT RESOLVED** by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

**WHEREAS**, a return of a Security Deposit is due to the below described Organization for a Beach Event that occurred September 11, 2011:

NAME: Shogun Fitness, LLC  
19 Park Avenue

November 21, 2011

Hawthorne, NJ 07506

AMOUNT OF REFUND DUE: \$400.00

REASON: Wounded Warrior Event was held on Manasquan Beach September 11, 2011. Refund Approval given by Beach Department Head.

**NOW, THEREFORE, BE IT RESOLVED** that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed event with said warrant to be charged against the Misc. Trust II Account.

**RESOLUTION  
270-2011**

**BE IT RESOLVED** that the Professional Service contracts will be awarded on a Non-Fair and Open Basis in the Borough of Manasquan, County of Monmouth for 2012.

**RESOLUTION  
271-2011**

**STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION GREEN ACRES ENABLING**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program, ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Borough of Manasquan desires to further the public interest by obtaining a grant of \$450,000.00 from the State to fund the following project:  
**SEA WATCH BEACH ACQUISITION.**

**NOW, THEREFORE**, the governing body/board resolves that George Dempsey or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant, and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT RESOLVED BY THE** Borough Council of the Borough of Manasquan:

1. That the Borough Council of the above named body or board hereby authorizes the Mayor to execute an agreement and any amendment thereto with the State known as **Manasquan Borough Open Space Acquisition**, and;
2. That the applicant has its matching share of the project, if a match is required,

November 21, 2011

- in the amount of \$450,000.00.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
  4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
  5. That this resolution shall take effect immediately.

**RESOLUTION  
272-2011**

**WHEREAS**, the Borough of Manasquan has the need of replacement of gate valves and check valves within the existing Mallard Park sewerage pump station; and

**WHEREAS**, the three quotes requested were as follows:

Mark Woszczak Mechanical Contractors 1700 W. Atlantic Avenue Manasquan, NJ	\$22,830
Jersey Shore Mechanical Inc. P.O. Box 347 110 Valley Drive Navesink, NJ	\$129,000
Pumping Services 201 Linden Blvd. Middlesex, NJ	Declined

**WHEREAS**, the Borough of Manasquan's bid threshold per resolution 251-11 is \$26,000; and

**WHEREAS**, as a result the Borough of Manasquan intends to enter into contract with: Mark Woszczak Mechanical Contractors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable; and

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Manasquan authorizes the Purchasing Agent to purchase certain goods or services from said contractor, pursuant to all conditions, in the amount of \$22,830.00; and

**RESOLUTION  
273-2011**

A RESOLUTION ADOPTING A SNOW  
PLOWING & ICE CONTROL OPERATIONS  
PROCEDURES MANUAL FOR THE  
BOROUGH OF MANSQUAN

**WHEREAS**, a Snow & Ice Control Operations Procedures Manual has been developed and recommended by the Superintendent of Public Works; and

**WHEREAS**, adoption of said Manual, has been determined to be in the best interest of the Borough of Manasquan and its residents.

November 21, 2011

**NOW THEREFORE BE IT RESOLVED**, the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the Snow Plowing & Ice Control Operations Procedure Manual is hereby approved and adopted.

**RESOLUTION  
274-2011**

**CHANGE ORDER NO.7**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction  
43 Gilbert Street North  
Tinton Falls, NJ 07701

CHANGE ORDER NO. 7 for removal of the fence and gates from the project, the installation of a larger roof hatch on well house #5, installation of a new time clock to control exterior lighting, painting of the truck bay ceiling, and relocation of lighting circuits from the 480V panel to the 120V panel.

AMOUNT OF CHANGE THIS RESOLUTION:

-\$27,381.893 (-0.75% below original contract)

TOTAL AMOUNT OF CHANGE:

\$574,097.98 (+15.825% above original contract Amount)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION  
275-2011**

**WHEREAS**, on November 1, 2011 the Planning Board Secretary was absent from the Planning Board meeting; and

**WHEREAS**, there was a need to perform the duties of the Planning Board Secretary for the meeting of November 1, 2011.

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey do hereby authorize Michelle Abbott to temporarily fill in for the position of the Planning Board Secretary specified for the meeting on November 1, 2011 at the rate of \$100 per meeting.

**BE IT FURTHER RESOLVED** that the Borough Clerk is authorized to notify the employee upon passage of this resolution.

**RESOLUTION**

November 21, 2011

**277-2011**

**BE IT RESOLVED** by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following transfer in the 2011 Budget be authorized:

**CURRENT FUND**

TO:

Engineering Services O/E	\$ 15,000.00
Legal O/E	3,000.00
Unemployment Ins. Contribution	4,000.00
Waterways	200.00
Shade Tree O/E	8,000.00
Construction Code S/W	<u>14,000.00</u>

Total	\$ 44,200.00
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FROM:

Uniform Construction Code S/W	\$ 14,000.00
Public Works S/W	20,000.00
Landfill O/E	<u>10,200.00</u>

Total	\$ 44,200.00
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**RESOLUTION**

**276-2011**

**BE IT RESOLVED** BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

Current Fund	224,138.56
Water/Sewer Fund	44,386.41
Beach Fund	28,035.96
General Capital Fund	33,587.16
Water/Sewer Capital Fund	175,848.45
Beach Capital Fund	394.48

Council Member Donovan made a motion to accept the Consent Agenda, seconded by Council Member McCarthy. Motion carried by the following vote: "yes" Council Member Connolly, Donovan, Grasso, Lee, Lucas, and McCarthy, "no" none.

**RESOLUTION**

**262-2011**

November 21, 2011

**BE IT RESOLVED**, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, and Borough Clerk Barbara Ilaria be and are hereby authorized to sign the New Jersey Department of Environmental Protection CAFRA Jurisdictional Determination application for the Beach Headquarters/Eastmond Pavilion construction project being submitted by Envirotactics, Inc., 1625 Highway 71, Wall, NJ 07719 in an amount of not to exceed \$2,000

Council Member Lee made a motion to approve resolution 262-2011, seconded by Council Member Lucas. Motion carried by the following vote, "yes" Council Member Donovan, Grasso, Lee, Lucas and McCarthy, "no" Council Member Connolly.

#### **RESOLUTION 268-2011**

**WHEREAS**, the Borough of Manasquan is desirous of appointing beach employees for the month of December during the sale of pre-season beach badges/parking passes; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Manasquan, Monmouth County, New Jersey, on this 21st day of November, 2011 appoint the following beach season employees to work during the month of December 2011:

- Tracy Sullivan 149 Curtis Place, Manasquan \$15.00 hr.
- Eileen McFadden 117 Marcellus Avenue, Manasquan \$15.00 hr.
- Kayla White 2013 Tangier Drive, Allenwood \$12.50 hr.
- Lucille Wall 643 Rankin Road, Brielle \$12.50 hr.
- Laurie Brandon 37 Howe Street, Bayhead \$12.50 hr.
- Anne Marie Fernandez 6 Branin Avenue, Manasquan \$12.50 hr.
- Christella Fischer 2503 Algonquin Trail, Manasquan \$12.50

Council Member Lucas made a motion to approve resolution 268-2011, seconded by Council Member Lee. Motion carried by the following vote, "yes" Council Member Donovan, Lee, Lucas and McCarthy, "no" Council Member Connolly and Grasso.

#### **ORDINANCES**

Council Member Lee recused himself for the hearing of ordinance 2098-11

Mr. Kitrick stated that this ordinance was introduced at first reading on October 17, 2011 and he advised that what is before the council is substantially the same ordinance with a couple of technical changes. He stated that this ordinance is mirrored with the State. He advised that added to this ordinance is a maximum of 30 taxi/autocab owner licenses will be available for issuance. He stated that there are a few technical changes that have been highlighted for the Council that the applicants are required. He also advised the date has been changed to February 1, 2012.

The Borough Attorney read the title of ordinance 2098-11 for second reading and final adoption.

**AN ORDINANCE PROVIDING FOR THE REGISTRATION AND REGULATION OF TAXIS, AUTOCABS AND OTHER VEHICLES ENGAGED IN THE BUSINESS OF CARRYING PASSENGERS FOR HIRE, AND THE OWNERS AND DRIVERS THEREOF AND THE BUSINESS OF OPERATING TAXIS, FIXING LICENSE FEES AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF**

Mayor Dempsey asked if there were any questions or comments regarding ordinance 2098-11.

November 21, 2011

Council Member Donovan asked the Borough Attorney that if in the future it is discovered that some of the clauses in this ordinance are unacceptable can it be amended.

Mr. Kitrick stated that it can be amended at a later date.

Council Member Lucas made a motion to open the hearing to the public, seconded by Council Member Grasso. Motion carried unanimously.

Gregory Hall, owner of New Manasquan Taxi voiced his concern with the cost involved and that he met with 10 other local owners and the Borough was given a list of recommendations for changes. He stated that he has no idea what was actually changed.

Mr. DeIorio stated that the requests were received and it was reviewed and the committee did come up with some of those suggested changes.

Mr. Kitrick stated that there was a letter received on Friday, November 18, 2011. He stated that there were some recommendations that were addressed and that he looked into the temporary licensing and he believes that has been addressed by moving the start date to February 1, 2012.

Mr. Hall stated that was only 2 issues that were stated in the letter. He stated that he would like Mr. Kitrick to take the letter seriously because it was ten owners that submitted it. He stated that those ten owners have been moving the people in and out of Squan for years without the regulations and have done it quite efficiently with minimal problems. He went over his discontent of the taxi regulations, the restrictions being put on them and the cruising issue. He stated that this is something that we should sit down and discuss. He went over the process that he uses to hire drivers.

Mr. DeIorio stated that he appreciates the work that Mr. Hall and the group did and he does take the letter seriously. He advised that the letter was received on Friday for an ordinance that was going to be presented tonight and unfortunately the ordinance took 18 months to put together. He advised that is why he made the statement earlier that the Governing Body has the ability to make modifications at a later time if they choose to do so. He stated that without the ordinance in place the Clerk's office can not issue the letters that taxi owner's need for the DMV. He stated that without that letter taxis can not do business in the Borough of Manasquan. He stated that he is trying to work with the taxi cabs and the council will take these suggestions under consideration.

There was discussion on the background checks and who will bear the costs and the regulations that are in the current ordinance before the council.

Mr. Hall recommended tabling this ordinance, ask the major companies in and have them sit down and work on an ordinance that will work. He stated that there is time because it is off season.

Ken Leppold, owner of Ocean Transport reiterated what Mr. Hall said and he has to respectfully disagree with a few things. He stated that what he does with his drivers and the cost is to split it down the middle. He agrees with the cruising and thinks it is very important aspect.

Mr. Kitrick stated that it is permissible to have taxi stands.

Mr. Leppold stated that the police officers and the owners will attest to the fact that when 1:30 a.m. hits there are thousands of drunks everywhere and obviously the taxi stand helps but there is going to be certain areas in Manasquan that these people go to. He suggested sitting down with the police and the other owners to work in unison with one another to possibly map out a different strategy. He stated that there is plenty of time before the bennies come down here to work on this.

There was discussion on the background checks and fingerprints and the number of drivers employed by one company. It was also discussed as to the fee being charged by the taxi owners being regulated by the towns.

John Case, Squan Taxi wanted to know if the age of the driver was looked into.

Mr. Kitrick stated that it was looked into and he advised that the local ordinances that have been adopted in the various neighboring towns all have the 21 years of age. He stated that the larger vans require a CDL.

November 21, 2011

license and from an enforcement perspective it was felt that it was better to keep the age consistent with the operation of all taxi and autocabs regardless of their size.

Mr. Case voiced discontent of the age that is required to drive a taxi cab.

There was discussion if or when modifications might take place and insurance requirements.

Jim Kennedy, Able Transportation addressed the Mayor and Council and stated that he believes that the council is on the right track.

Council Member Connolly made a motion to close the public portion, seconded by Council Member Lucas. Motion carried unanimously.

Council Member Lucas made a motion to pass and publish according to law ordinance 2098-11, seconded by Council Member Grasso. Motion carried by the following vote, "yes" Council Members Connolly, Donovan, Grasso, Lucas and McCarthy, "no" none.

Mayor Dempsey asked Captain Correia to introduce to the council and the audience the new police officer Kenneth Hamill.

### **APPROVAL OF MINUTES**

Work Session Minutes – May 16, 2011, June 6, 2011 and June 20, 2011

Regular Meeting Minutes – May 16, 2011, June 6, 2011 and June 20, 2011

Special Meeting Minutes - June 30, 2011

Closed Session Minutes – September 13, 2010 and September 20, 2010

Council Member Grasso asked if a temp person can come in to do the minutes since the Clerk's office is behind.

The Municipal Clerk advised that if a temporary person is hired to do the minutes then that person would need to be at the meetings to understand what is being said because the minutes are not transcribed verbatim.

Council Member Grasso asked that the May 16, 2011 minutes be removed from the agenda for further review, seconded by Council Member Connolly. Motion carried by the following vote, "yes" Council Member Connolly, Donovan, Grasso, Lee, Lucas and McCarthy, "no" none.

Mayor Dempsey stated that the May 16, 2011 minutes will be brought back to be voted on at a later date.

Council Member Lee made a motion to approve the minutes, seconded by Council Member Lucas. Motion carried unanimously. Council Member McCarthy abstained from voting on the September 13, 2010 and September 20, 2010 minutes.

### **COMMITTEE REPORTS**

Public Works Committee – Council Member Donovan congratulated the Mayor, Joe Bossone and Mike Mangan on their victory on November 8<sup>th</sup>. He reported that all fire hydrants have been flushed and approximately 30 valves have been exercised. He reported that the DPW received a truck that was donated from the Manasquan First Aid and it will be used in the water treatment department. He reported that there will not be any leaf pick up this week due to the holiday but will resume next week with the west side of the tracks and he advised that there has been a temporary fence installed on the beach. He reported that the boat docks have been winterized and a new heating unit had to be installed in the DCI building. He advised that the Chamber of Commerce will be having their annually Candy Cane Hunt on December 2 in Squan Plaza and the business district from 6 to 8 p.m. with a rain date of December 9, 2011

Public Property and Parks Committee – Council Member McCarthy congratulated everyone that was successful in the recent election. He reported that the Tourism Commission will be participating with the Candy Cane Hunt as Council Member Donovan advised. He reported that the committee had a meeting with the Garden Club about Alice Hemphill Park and trying to coordinate a schedule for next year where they will be talking with the Borough as to where they can plant, when they can plant and the areas that can

November 21, 2011

be used for planting and the area that can be trimmed. He advised that most of that area has restrictions on it with the DEP. He advised that the committee met with the SBLSS Preservation Committee and that the Preservation Committee will bring to the council what is planned for the SBLSS and the area they will be using.

Beach Committee – Council Member Lee congratulated the Mayor, Joe Bossone, and Mike Mangan for them being elected. He reported that the beach badge sales will take place at Borough Hall starting December 5 through December 30 from 10 a.m. to 2 p.m. He advised that the prices will be the same as last year. He reported that there will only be 600 parking passes sold during the month of December.

Public Safety & Recycling – Council Member Lucas congratulated the Mayor, Joe Bossone, and Mike Mangan for them being elected. He wished the best to Kenneth Hamill who was appointed as a Police Officer.

Administration and Finance Committee – Council Member Connolly reported that the committee reviewed the bills which total \$506,391 and they are available for the public on the front table. She stated that the Borough pays about \$78,000 a month for health costs and notification was recently received advising that this amount will be going up 20%. She stated that she along with other council members attended the League of Municipalities conference and there were a lot of programs and some key words were shared services, regionalizing, and consolidation. She thanked Lee Weisert and Rob Miles for doing the filming tonight and it will be reviewed to see if there are any issues with the video. She stated that the hope is to have the council meeting video taped to show on cable television.

Law & Code Committee – Council Member Grasso congratulated the Mayor, Joe Bossone, and Mike Mangan on their being elected. He reported that the revenues for the construction and code for the month of October were \$18,857 for a 10% increase over last year. He reported that the year to date revenues is \$199,994 for 13% increase over last year. He reported that permits are up from last year by 467. He stated that the Code Department staff is doing a great job in getting the permits processed on a timely manner. He reported that the court revenues for October are down by 35% from last year. He stated that he is looking for the violation report so he could do work with the courts to see what is going on and this is the 5<sup>th</sup> request for it. He thanked Mr. Nicaastro for a great job that was done on the Snow Plow Manual and Procedures. He stated that last year was a disaster as far as cleaning the streets and it would be helpful to have the cars off the street for snow plowing. He asked if Pat Hoey from the Turkey Trot can donate \$4,000 so the Borough can purchase 5 new snow plows, self propelled with lights so the sidewalks can be cleaned to help out the people in town.

#### AUDIENCE PARTICIPATION

Council Member Connolly made a motion to open the meeting up to the public, seconded Council Member McCarthy. Motion carried unanimously.

Ed Hyer, 56 Second Avenue stated the change order discussed was for painting the ceiling but nothing was mentioned about the moving of wiring from a 440 volt panel to a 120 panel and the new time clock to control the lighting and he thinks these things should have been in the original specs. He stated that if it was not done correctly why the town should pay for it.

Mayor Dempsey stated that there was a \$38,000 credit on the fencing.

Mr. Hyer agreed with the Mayor but thought there was a total change order of \$500,000.

Mayor Dempsey stated that it was not that much.

Mr. Hyer advised that he just wants the council to look at the change order before it is paid. He asked that the council talk to the engineer or architect for possible cost reduction alternatives that could be included in the bid specs up front so there would be a price if the specs need to be changed. He thanked the council for the taxi ordinance as he is a proponent of it.

Former Mayor Rich Dunne congratulated the Mayor on his re-election and he congratulated Council Member Elect Mangan and Bossone. He thanked Council Member Lee and Lucas for their many years of service to the community.

November 21, 2011

Council Member Connolly made a motion to close the public portion, seconded by Council Member Lee. Motion carried unanimously.

Council Member Donovan made a motion to close the regular meeting at 9:25 p.m., seconded by Council Member Lucas. Motion carried unanimously.

Respectfully submitted,



Barbara J. Ilaria  
Municipal Clerk

DATE APPROVED 2-21-12